March 16, 1976

the only bill dealing with malpractice that will clear this Legislature this year, then I think we owe it to our people at home, as you love to say, in good common sense we owe it to the cost factor of this business to do what needs to be done to reduce the cost. Every other state has approached the same facet. If we can get these two bills out then we have eliminated the pressure from hospitals and we have eliminated the pressure from doctors. The people at home, unfortunately, are not aware enough of the complexity of the situation, or what is going on to register with you. You are going to have to make your own decision in this matter. I remind you again, the availability of insurance certainly is not the total cost. If there is profit to insurance companies and it needs to be checked, then that needs to come out of this Legislature every bit as quickly as provisions for a mutual which can be formed with or without this bill. This is special treatment to form that mutual. I support the concept if they so desire. I also support the concept that if you let these people run, ... if we exempt these two people from the immediate pressure saying "Oh, here you are. Now you can form your own mutual", we haven't answered the problem at all. I think it's a very obvious move from start to finish that that's exactly what it's all about. I think it would be to our discredit to let it happen. I support Senator Warner's motion and his feeling on this thing because it does not go to the total answer of malpractice. I do not want to see malpractice go hopping out of this Legislature on one foot. Let's face the whole problem or nothing. I support Senator Warner's motion to bracket.

PRESIDENT: Senator Burbach.

SENATOR BURBACH: I ask for the previous question.

PRESIDENT: Are there five seconds? I see five seconds. The question is shall debate cease. Record your vote. Have you voted? Record.

CLERK: 26 ayes, 3 mays to cease debate.

PRESIDENT: Debate ceases. Senator Warner, would you close debate please.

SENATOR WARNER: Mr. President, members of the Legislature. If my purpose was for punishment, if my purpose was blackmail, if my purpose was obstruction, Senator Cavanaugh and Senator Chambers, I would have said that is my purpose. You would not have had to put those words in my mouth. A vicious lie, Senator Cavanaugh. I'm sorry that you had to take that position. Now, Mr. President, the reason I asked to have this bill bracketed is I had talked with those who have had a very lobbied interest in 809. They indicated they saw no problem with holding it till the 25th, that's four days left. If I was playing games I would have tried to have done it at a later date. ... ample time to have the bill printed and put it over in E & R engrossment. It is my sincere belief that 917, 809 and 703 are all related bills, they all deal with malpractice. It's my opinion that action on all three is desirable if the question is to be resolved. For that reason, since they are related, 1f 703 fails then I think it may be necessary to put some